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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,382	09/15/2003	Joerg Beringer	09282.0013-00000	1611
60668	7590	01/25/2008		
SAP / FINNEGAN, HENDERSON LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER NGUYEN, VAN KIM T	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 01/25/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/663,382

Applicant(s)

BERINGER ET AL.

Examiner

Van Kim T. Nguyen

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE col. 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to communications filed on January 8, 2008.

Claims 1-7 and 9-16 remain pending in the application.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 8, 2008 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1-7 and 9-16 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 9-16 are rejected under 35 U.S.C. 101 because the claims are directed to software per se and not one of the four statutory classes.

Claims 9-16 recite an enterprise management consolidation system comprising components that would suggest to one of ordinary skill in the art that all may be reasonably

Art Unit: 2152

implemented as software routines [para 0024-0026]. Thus, claims 9-16 fail to fall within a statutory category of invention. They are directed to the software routine per se, not process occurring as a result of executing the software routine, a machine programmed to operate in accordance with the software routine, nor a manufacture structurally and functionally interconnected with the software routine in a manner which enables the software routine to act as a computer component and realize its functionality. They are also clearly not directed to a composition of matter. Therefore, claims 9-16 are non-statutory under 35 USC §101.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claim 9 is rejected under 35 U.S.C. 102(e) as being anticipated by Polizzi et al (US 6,643,661), hereinafter Polizzi.

As shown in Figure 10, Polizzi teaches in a portal, *generating information views, the information views including control center pages, which represent generic personal resources for a user, the control center pages together forming a control center that represent a user's personal workspace and including personalized content which reflects common information needs of the user and facilitates control level activities (e.g., a portal page 1000 which is a user's primary interface to in the portal system 120 and automatically generated the first time user 100 logs into the system. Thereafter, user 100 can modify the portal page 1000 according to his respective information (col. 20: line 45 - col. 21: line 3).*

presenting a control level page in a first browser session (e.g., the default portal page 1000; col. 20: lines 54-56);

presenting an execution level page in a second browser session while maintaining the first browser session (e.g., modify respective copy of the portal page 100 or create additional ones; col. 20: lines 58-59);

receiving work performed on the execution level page (e.g., modify the content, layout and colors of any of the portal page 1000; col. 20: lines 60-61);

navigating to the control level page from the execution level page and navigating back to the execution level page (e.g., navigating between the default portal page and modified copy of the portal page; col. 20: lines 60-63).

a cross functional application to provide communication between at least one of an object modeling tool (e.g., each of the objects 300 is assigned to a specific Category of Subcategory 305, 310 or 315; col. 10: lines 46-55), a process modeling tool (e.g., portal system 120; col. 6: lines 34-39), and a user interface tool (e.g. job server 230; col. 11: lines 42-46, Figure 3).

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Polizzi et al (US 6,643,661), hereinafter Polizzi, in view of Kukikai (US 7,124,355).

As shown in Figure 10, Polizzi teaches in a portal, *generating information views, the information views including control center pages, which represent generic personal resources*

Art Unit: 2152

for a user, the control center pages together forming a control center that represent a user's personal workspace and including personalized content which reflects common information needs of the user and facilitates control level activities (e.g., a portal page 1000 which is a user's primary interface to in the portal system 120 and automatically generated the first time user 100 logs into the system. Thereafter, user 100 can modify the portal page 1000 according to his respective information (col. 20: line 45 - col. 21: line 3).

presenting a control level page in a first browser session (e.g., the default portal page 1000; col. 20: lines 54-56);

presenting an execution level page in a second browser session while maintaining the first browser session (e.g., modify respective copy of the portal page 100 or create additional ones; col. 20: lines 58-59);

receiving work performed on the execution level page (e.g., modify the content, layout and colors of any of the portal page 1000; col. 20: lines 60-61);

navigating to the control level page from the execution level page and navigating back to the execution level page (e.g., navigating between the default portal page and modified copy of the portal page; col. 20: lines 60-63).

Polizzi does not explicitly call for the execution level page preserving the work performed before navigating to the control level page.

Kukkai teaches the execution level page preserving the work performed before navigating to the control level page (e.g., step 340, if the page is an internet application, persistency control logic 240 is enable and "locks" the application, thereby causing the application to persist; col. 9: lines 18-31).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Kukukai's method of persistent control an information browser in Polizzi's system in order to provide a seamless integration of information browsing from multiple independent uncollaborated information sources, including running independent unrelated applications within the context of information browsing.

9. Claims 2-7 are rejected under 35 U.S.C. 103(a) as being unpatentable Polizzi-Kukukai, as applied to claims 1, in view of Anuff et al (US 6,327,628), hereinafter Anuff.

Regarding claim 2, Polizzi-Kukukai does not explicitly call for the control level page including messages and work triggers.

Anuff teaches the control level page including messages and work triggers (Figure 2; col. 3: line 58 – col. 4: line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Anuff's portal server in Polizzi-Kukukai's system, in order to maintain an effective portal that allows users to gain access to resources at various network site.

Regarding claim 3, Polizzi-Kukukai-Anuff also discloses the control level page includes trackable work objects (Anuff; Figure 2; col. 3: line 58 – col. 4: line 5).

Regarding claim 4, Polizzi-Kukukai-Anuff also discloses the control level page includes links to services and objects in an execution level page (Polizzi; col. 16: lines 3-28 and col. 20: lines 45-67).

Regarding claim 5, Polizzi-Kukukai-Anuff also discloses the services and objects correspond to a user's workset (Anuff, col. 4: lines 47-67).

Regarding claim 6, Polizzi-Kukkai-Anuff also discloses the control level page includes a user's personal files and contacts (Anuff; Figure 2; col. 3: lines 52-57).

Regarding claim 7, Polizzi-Kukkai-Anuff also discloses the control level page includes links to one or more workset areas (Polizzi; col. 16: lines 3-28 and col. 20: lines 45-67).

10. Claims 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable Polizzi, as applied to claim 9 above, in view of Anuff et al (US 6,327,628), hereinafter Anuff.

Regarding claim 10, Polizzi does not explicitly call for the control level page including messages and work triggers.

Anuff teaches the control level page including messages and work triggers (Figure 2; col. 3: line 58 – col. 4: line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Anuff's portal server in Polizzi's system, in order to maintain an effective portal that allows users to gain access to resources at various network site.

Regarding claim 11, Polizzi- Anuff also discloses the control level page includes trackable work objects (Anuff; Figure 2; col. 3: line 58 – col. 4: line 5).

Regarding claim 12, Polizzi-Anuff also discloses the control level page includes links to services and objects in an execution level page (Polizzi; col. 16: lines 3-28 and col. 20: lines 45-67).

Regarding claim 13, Polizzi-Anuff also discloses the services and objects correspond to a user's workset (Anuff, col. 4: lines 47-67).

Regarding claim 14, Polizzi-Anuff also discloses the control level page includes a user's personal files and contacts (Anuff; Figure 2; col. 3: lines 52-57).

Regarding claim 15, Polizzi-Anuff also discloses the control level page includes links to one or more workset areas (Polizzi; col. 16: lines 3-28 and col. 20: lines 45-67).

11. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Polizzi as applied to claim 9 above, in view of Kukukai (US 7,124,355).

Polizzi does not explicitly call for the execution level page preserving the work performed before navigating to the control level page.

Kukukai teaches the execution level page preserving the work performed before navigating to the control level page (e.g., step 340, if the page is an internet application, persistency control logic 240 is enable and "locks" the application, thereby causing the application to persist; col. 9: lines 18-31).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Kukukai's method of persistent control an information browser in Polizzi's system in order to provide a seamless integration of information browsing from multiple independent uncollaborated information sources, including running independent unrelated applications within the context of information browsing.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Method and Mechanism for a Portal Website Architecture, Wichmann et al (US 7,277,924); Space/Time Portals for Computer Systems, Yurkovic (US 6,68,353); and Methods and Systems for Implementing a Customized Life Portal; Dewey et al (US 2004/0098467).

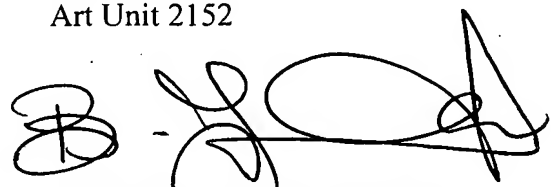
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van Kim T. Nguyen whose telephone number is 571-272-3073. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Van Kim T. Nguyen
Examiner
Art Unit 2152

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SUPERVISORY PATENT EXAMINER
1/22/8